

March 26, 2013

The Blue Lake City Council met in regular session at 6:15 p.m. on March 26, 2013. Mayor Sherman Schapiro called the meeting to order. Council Members present were Kevin Benjamin, Lana Manzanita, Stephen Kullmann and Greg Sawatzky. Others present were City Manager John Berchtold and City Clerk Adrienne Nielsen.

### **Motion to Approve Agenda**

*Councilmember Manzanita moved, seconded by Councilmember Benjamin to approve the agenda after moving items 7 after 2, and 6 after 9. The motion carried unanimously.*

### **Recommendation of Parks & Recreation Commission: Joe Rocha Memorial**

*Mike Rocha, son of Joe Rocha, presented photos and location choices for a bench in honor of his late father. The wood for the bench is being donated by Green Diamond, the cement work donated by John Fechner and Randy Johnson. The location requested for the bench would be on the trail behind Mad River Brewing.*

*Councilmember Manzanita moved, seconded by Councilmember Benjamin to approve the concept and to work with staff on the project. The motion carried unanimously.*

### **Review Sewer Rates and Next Step(s)**

*City Manager Berchtold reported that the Rate Consultant made the assumption in his calculations that Blue Lake Power's historic average water usage was 342,000 cubic feet, not taking into consideration that they have a discharge meter that shows 25% of flow vs. water being passed through to the sewer. He asked the consultant to revise the information but was able to keep the 0%, 3%, 3% annual increases to stay consistent with the water rate structure. Councilmember Kullmann would like figures checked in the study against actual bills. Councilmember Benjamin moved, seconded by Councilmember Kullmann to approve the concept of the 0%,3%, 3% sewer rate scenario. The motion carried unanimously.*

### **Item 5 was requested to be moved up on the agenda by Mayor Schapiro**

### **Flag Salute and Council to Accept Proclamation for Girl Scouts Week March 10-17, 2013**

*The Girl Scouts lead the flag salute for the council meeting. Councilmember Benjamin moved, seconded by Councilmember Kullmann to approve the Proclamation. The motion carried unanimously. Mayor Schapiro read the Proclamation for Girl Scouts Week March 10-17, 2013.*

### **Public Input**

*None*

### **Mayor Schapiro – Required Steps Related to Release of Sewer Capacity**

*Mayor Schapiro put together a listing of steps that was reviewed at the prior meeting. City Manager Berchtold explained the steps further for understanding. He stated that the first three steps have been completed with Council approving local limits study, pie chart and appendices report. The rest of the list was discussed item by item. Councilmember Manzanita moved, seconded by Councilmember Sawatzky to accept the document titled Required Steps on the Way to Releasing Sewer Pond Capacity. The motion carried unanimously.*

### **A. Request by Mad River Brewing Company for the Formation of a Committee to Develop a Specific Agreement Covering the Mad River Brewing Company Wastewater Discharge to the City; B. Discussion of BOD Loading From Mad River Brewing Company**

*Neil Carnum, Engineer for Mad River Brewing Company spoke to the Council regarding the length of time the process is taking for more sewer capacity. Mad River Brewing Company would like to have a sub-committee, make it a quicker time frame to bring back to the council, the right to negotiate and see the process move forward.*

*City Manager Berchtold suggested to Council that they follow the steps for release of sewer capacity and to refer to the City Attorney. Councilmember Manzanita moved, seconded by Councilmember Sawatzky to direct staff to have City Attorney Nancy Diamond at the next meeting for questions of Cease and Desist order and parallel talks to go on with significant industrial users. The motion carried unanimously.*

*Councilmember Manzanita moved, seconded by Councilmember Sawatzky to have a closed session at the next council meeting to discuss the Riverwatch settlement with the City Attorney with a start time of 6:15 p.m. The motion carried unanimously.*

**Public Hearing: I Street Pedestrian Project (No Action is Required)**

*City Manager Berchtold gave a brief description of the project, stating that the City applied four years ago for the funding and now the City is at project stage. The next protocol is to hold a Public Hearing on the matter. Mayor Schapiro opened the Public Hearing at 8:25 p.m. Mike Foget, City Engineer, gave a brief report on the project for sidewalk improvements on I Street. The project ties in with the Safe Route to Schools concept. The next step is to bid out the project and start with construction in the fall. There were no public comments. Mayor Schapiro closed the Public Hearing at 8:40 p.m. with no action taken.*

**Recommendation of Planning Commission – Amendment of Zoning Ordinance Section 618 – Accessory Buildings**

*After discussion of the opaque windows from a second story, Councilmember Kullmann moved, seconded by Councilmember Benjamin to approve that the Ordinance be drafted, and address the window opacity. The motion carried unanimously.*

**Business cards/name tags - Purchase**

*After brief discussion, Councilmember Manzanita moved, seconded by Councilmember Benjamin to approve up to \$140.00 for the purchase of business cards and name tags for all five Councilmembers.*

**Project Application For Indian Gaming Funds**

*City Manager Berchtold presented to Council a project for the application for Indian Gaming Grant Funds. He suggests a baffle curtain to be purchased for Sewer Pond #1 to help eliminate dead zones. Councilmember Kullmann moved, seconded by Councilmember Sawatzky to approve proposed Indian Gaming Grant Sewer Improvement Project. The motion carried unanimously.*

**Consent Agenda: February Financial Statement; Council Meeting Location**

*Councilmember Benjamin moved, seconded by Councilmember Sawatzky to approve the Consent Agenda. The motion carried unanimously.*

**Reports of Council and Staff**

*Councilmember Kullmann reported that he attended a brief meeting at Redwood Community Energy Authority. Councilmember Benjamin attended the REDDC meeting and reported that two loans were approved by a ranch in Ferndale and the Carson Block Building. Councilmember Manzanita reported on the HCOAG meeting which covered the Safety Corridor study and that she attended the California League of Cities meeting in Willits. Mayor Schapiro reported on the Humboldt Waste Management Authority meeting.*

**Motion to Adopt Minutes from March 12, 2013**

*Councilmember Kullmann moved, seconded by Councilmember Sawatzky to approve the March 12, 2013 minutes with corrections. The motion carried unanimously.*

**Future Agenda Items**

*Public Safety Commission; City Attorney Nancy Diamond with possible closed session for discussion; Council consideration to move second meeting in April to the 30<sup>th</sup>.*

**Correspondence**

*Letter from Kevin Fischer, Blue Lake resident and employee at Mad River Brewing Co. concerning the brewery's sewer capacity needs and the City's future plans.*

**Motion to Adjourn**

*Councilmember Kullmann moved, seconded by Councilmember Benjamin to adjourn the meeting at 9:47 p.m. The motion carried unanimously.*

Adrienne Nielsen  
City Clerk